

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:

TIMOTHY DONALD EYMAN,  
  
Debtor.

No. 18-14536

*EX PARTE* APPLICATION FOR ORDER  
AUTHORIZING TRUSTEE TO EMPLOY  
REALTOR

Virginia A. Burdette, Trustee herein, respectfully represents the following:

1. This case was filed on November 28, 2018 as a Chapter 11 proceeding and then converted to Chapter 7 on December 17, 2021. Shortly thereafter, I was appointed the Chapter 7 Trustee. I am duly qualified as Trustee and have been acting as such.

2. Among the assets listed by the Debtor is an interest in real property located at 11913 59<sup>th</sup> Ave. W, Mukilteo, WA 98275 (the "Property"). I require the assistance of a real estate professional to assist me in the valuation of this Property.

3. I have conferred with, and now desire to employ, Kary Krismer of John L. Scott, Inc., to assist me in providing initial valuation of the above-listed Property. There will be no fee for the initial valuation. Thereafter, he shall be compensated at \$175 per hour for additional services related to valuation. Mr. Krismer is not retained to list the Property for sale. I have selected Mr. Krismer because of his experience and knowledge of real estate sales. Accordingly, I believe he is well qualified to represent the bankruptcy Estate.

4. Prior to the date of this application, Mr. Krismer assisted General Counsel, Michael Sperry, in the sale of his condo and contingent purchase of his home with a reduction in commission on the sale equal to one percent (1%) of the purchase due to there being two related transactions. A \$4,800.00 reduction in commission was given on that sale.

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Virginia A. Burdette  
Chapter 7 Trustee  
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5. Also, prior to the date of this application, in 2015, Mr. Krismer assisted me personally in the sale of real property and was paid his typical commission rate at the time of three percent (3%), with an additional three percent (3%) paid to the buyers' broker.

6. Final compensation is subject to Court approval after notice to creditors and a hearing. Mr. Krismer has indicated a willingness to act on my behalf and to be compensated under the terms and conditions set forth in this paragraph. No retainer has been paid or promised.

7. I have previously employed Mr. Krismer and John L. Scott, Inc. in other cases. I am aware of no other connections between Mr. Krismer, Mrs. Krismer, or John L. Scott, Inc., and the Debtor, creditors, any party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee other than as set forth above. No notice to creditors or interested parties of this motion is necessary pursuant to 11 U.S.C. section 102(1) and FRBP 2002, as employment of Mr. Krismer of John L. Scott, Inc. represents no interest adverse to the Estate in the matters upon which they are to be retained, and nor are they a creditor in this estate.

WHEREFORE, I request the entry of an order authorizing me to employ Kary Krismer, and John L. Scott, Inc., as realtor to perform the services requested on the terms and conditions recited above.

DATED this 10<sup>th</sup> day of February, 2022

/s/ Virginia A. Burdette  
Virginia A. Burdette, WSBA #17921  
Trustee

The undersigned declares under the penalty of perjury that she provided the U.S. Trustee's Office with a copy of this motion, statements of disinterest, and proposed order on February 10, 2022. It was approved for filing via email by the United States Trustee's Office on February 10, 2022.

Dated this 10<sup>th</sup> day of February, 2022.

/s/ Caitlin N. Christensen  
Caitlin N. Christensen  
Legal Assistant to Virginia A. Burdette

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